

July 20, 1994

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D. C. 20554

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RECEIVED

AUG 12 1994

Re: CC Docket #92-77

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Chairman Hundt:

I am writing to voice my concerns about the proposed Billed Party Preference regulation. The correctional facility inmate phone industry would be severely jeopardized by BPP, affecting inmates, their families and the criminal justice system as a whole. *For this reason, we are asking that inmate calls be exempt from the proposed BPP regulation.*

Over the past ten years, administrators of correctional facilities have been able to put into place a very effective system for allowing inmate phone calls. The right to choose our phone service provider has been key to our success. This service has always been delivered to us at very reasonable rates. What's more, inmate phone commissions have been a significant source of revenue for our facility and have helped us improve it dramatically. *We use this revenue to fund various programs including: law enforcement education; inmate health, education and recreation; jail personnel safety; drug prevention and other community programs; family visitation etc.*

*Here are a few of my biggest concerns about Billed Party Preference:*

- It strips correctional facility administrators of the right to choose inmate phone providers.
- Technology for BPP would reportedly cost upwards of \$1.5 billion, an expense that would have to be passed along to the consumer.
- Without the authority to process calls, inmate phone providers would no longer have the revenue to provide the sophisticated phone systems used in prisons. The end result: fewer phones with fewer security features. Facilities would have to revert to the old ways of supervising each and every inmate call.
- The average length of stay in jail would increase because inmates would not have the phone privileges required to make arrangements for obtaining bond. *This costs everyone!*
- Under BPP, correctional facilities would no longer have control over inmate calls, which means no call tracking or blocking. Inmates could conceivably harass judges, witnesses, jury members or even the victims of their crimes.
- Without call control, facilities would be unable to control fraud problems currently handled by inmate phone providers.

For the above reasons, and countless others, we believe that THE COSTS OF BILLED PARTY PREFERENCE FOR INMATE CALLS FAR OUTWEIGH THE BENEFITS. If BPP does become regulation, we urge you to make inmate calls exempt. Thank you for your consideration of my views.

Sincerely,

*Capt. Edward L. Kemp*  
Commander Administration/Investigation  
Jefferson County Sheriff's Department

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**SHERIFF-CORONER DEPARTMENT  
COUNTY OF ORANGE  
CALIFORNIA**

DUCKET FILE NO. 92-77 ORIGINAL

**BRAD GATES  
SHERIFF-CORONER**

SERVING THE UNINCORPORATED AREAS  
OF ORANGE COUNTY AND THE CITIES OF:

DANA POINT  
LAGUNA HILLS  
LAGUNA NIGUEL  
LAKE FOREST  
MISSION VIEJO

SAN CLEMENTE  
SAN JUAN CAPISTRANO  
STANTON  
VILLA PARK

OFFICE OF SHERIFF-CORONER

JUL 28 3 28 PM '94

RAUL RAMOS  
UNDERSHERIFF

ASSISTANT SHERIFFS  
WALTER FATH  
JOHN HEWITT  
JERRY KRANS  
DENNIS LADUCER

RECEIVED

July 22, 1994

AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

The Honorable Reed E. Hundt  
Federal Communication Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Billed Party Preference (BPP); CC Docket Number 92-77

Dear Commissioner Hundt:

I have recently been informed the Federal Communications Commission (FCC) is considering a proposal called "Billed Party Preference" (BPP), to change the method by which long distance telephone companies are related to operator assisted calls, including collect calls from jails.

As the Sheriff of Orange County, California, I strongly request that the FCC very carefully listen to not only my concerns, but also the very real concerns of all the elected Sheriffs and law enforcement agencies and the Department of Corrections within the State of California.

I am charged with the welfare of over 5,000 inmates within our five jail facilities. I am mandated by law to provide programs such as: parenting education, adult education, GED certifications, English as a second language, literacy training, job training, substance abuse, family counseling, recreational facilities and equipment, religious services, chaplains and many more. I have no avenue of funding other than profits from our inmate commissary and the telephone revenues. The telephone revenues account for over 65% of the total revenues in our Inmate Welfare Fund. Any reduction to the revenue received from our current inmate telephone provider will have a dramatic impact on all of our state and federally mandated inmate programs. We need to increase successful programs, not eliminate them.

Our current system is fair, not only to our inmates, but also to their families. We are under contract with our current telephone provider for the next year and a half. As we draw

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The Honorable Reed E. Hundt  
July 22, 1994  
Page 2


near the end of this contract, we are receiving proposals which validate that our current system is most likely the best. Although other providers currently offer potentially higher revenue to our Inmate Welfare Fund, it appears to be at the expense of our inmates and their families due to higher cost of service. There is also a serious question regarding the ability of a new provider to maintain the high level of service and repair we currently enjoy. I mention this only to caution you as to what may potentially be the outcome of "BPP" within jail systems. The proponents of "BPP" don't guarantee better rates, revenue sharing, or better service.

Our current system also provides us the necessary safeguards to reduce fraud and to protect victims and witnesses from intimidating inmate contact.

The Orange County Jail System is overcrowded. We currently need over 3,500 additional beds with a projected need of another 3,500 inmate beds by the year 2006. It is becoming increasingly difficult to meet the mandated requirements of operating a jail system as inmate population grows. Further federal restrictions unnecessarily complicates facing these challenges.

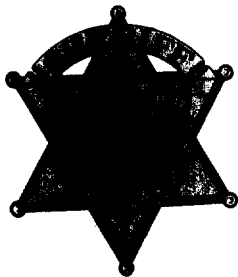
I encourage you and the Commission to very carefully weigh the impacts your decisions may have on local detention facilities, not only in the State of California but across the nation.

Sincerely,

  
BRAD GATES  
Sheriff-Coroner

cc: The Honorable James H. Quello  
The Honorable Andrew C. Barrett  
The Honorable Rachelle B. Chong  
The Honorable Susan Ness

BG:pl



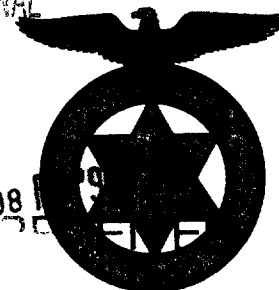
Office of  
**Sheriff of Cowley County**

**Bob G. Odell**  
SHERIFF

**Carl E. DeVore**  
UNDERSHERIFF

July 26, 1994

JUL 28 3 08 PM '94



AUG 1 2 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: CC Docket #92-77

Dear Chairman Hundt:

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Over the past ten years, administrators of correctional facilities have been able to put into place a very effective key to our success. This service has always been delivered to us at very reasonable rates. What's more, inmate phone commissions have been a significant source of revenue for our facility and have helped us improve it dramatically. We use this revenue to fund various programs including: law enforcement education; inmate health, education and recreation; jail personnel safety; drug prevention and other community programs; family visitation etc.

**Here are a few of my biggest concerns about Billed Party Preference:**

- \* It strips correctional facility administrators of the right to choose inmate phone providers.
- \* Technology for BPP would reportedly cost upwards of \$1.5 billion, an expense that would have to be passed along to the consumer.
- \* Without the authority to process calls, inmate phone providers would no longer have the revenue to provide the sophisticated phone systems used in prisons. The end result: fewer phones with fewer security features. Facilities would have to revert to the old ways of supervising each and every inmate call.

P.O. Box 47  
Winfield, Kansas 67156-0047  
Office 316-221-5444 Jail 221-5444  
Fax 316-221-5448

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*This costs everyone!*
- \* Under BPP, correctional facilities would no longer have control over inmate calls, which means no call tracking or blocking. Inmates could conceivably harass judges, witnesses, jury members or even the victims of their crimes.
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For the above reasons, and countless others, we believe that THE COSTS OF BILLED PARTY PREFERENCE FOR INMATE CALLS FAR OUTWEIGH THE BENEFITS. If BPP does become regulation, we urge you to make inmate calls exempt. Thank you for your consideration of my views.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bob G. Odell".

Bob G. Odell, Sheriff  
Cowley County Sheriff's Department  
P.O. Box 47  
Winfield, KS 67156

July 20, 1994

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D. C. 20554

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Sincerely,

*Larry J. Stanislas*  
Clay Co. Sheriff  
Spencer, Ia 51381

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Sincerely,

*Dennis Martin, Sheriff*  
*Atchison County, Mo.*

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Sincerely,

*Paul F. Ammann*  
*Sheriff of Wilson County*

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JOHN M. FLYNN  
SHERIFF  
SUPERINTENDENT

*Commonwealth of Massachusetts*

*Office of the*

*Sheriff of Worcester County*

*West Boylston, Massachusetts 01583*

Telephone (508) 854-1800 • FAX (508) 856-0465

JUL 28 3 08 PM



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AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

July 25, 1994

The Honorable Reed E. Hundt, Chairman  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20554

RE: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

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July 25, 1994

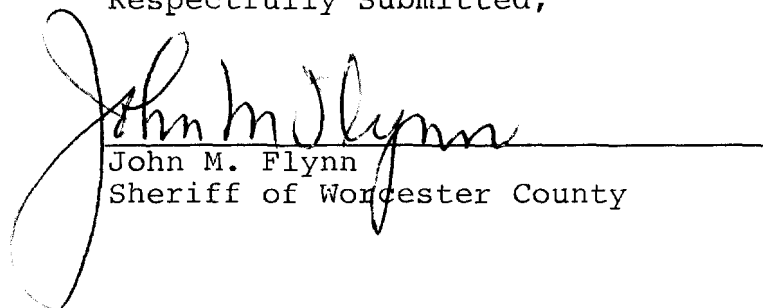
The Honorable Reed E. Hundt, Chairman

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions -- decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully Submitted,

  
John M. Flynn  
Sheriff of Worcester County

JMF/ro

DOCKET FILE COPY ORIGINAL

July 20, 1994

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D. C. 20554

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Sincerely,

*Terry D. Barre*  
*Sheriff Harper County*

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The Honorable Reed Hundt, Chairman  
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Sincerely,

*Philip Michael*

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Federal Communications Commission  
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Sincerely,

*Lt. W. Elmer Stubbs, Dep.*

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EDWARD J. TAYLOR, JR.

DISPATCHED BY TELETYPE

July 20, 1994

JUL 20 3 08 PM '94  
14310 Fox Fire Lane  
San Antonio, Texas 78231  
Home: (512) 493-9815

The Honorable Reed Hundt  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Representative Hundt:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for O+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

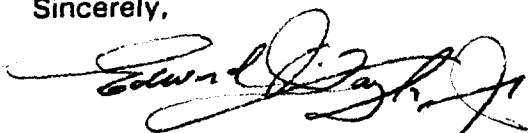
Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

A highly competitive market dictates that the technically sophisticated equipment be installed at little or no cost to the facility and that the provider's commissions be paid to the facility. The commissions facilities receive are a major source of revenue for the inmate welfare funds which finance inmate programs such as family visitation, education and rehabilitation programs. Thus, many of the positive aspects of incarceration are actually being paid for by the inmates.

Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,



THIS rec'd

